



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of

Masayuki SUZUKI et al.

Application No.: 10/670,337

Filed: September 26, 2003

Docket No.: 117330

For: HEATER INSPECTION APPARATUS AND SEMICONDUCTOR  
MANUFACTURING APPARATUS HAVING HEATER INSPECTION APPARATUS  
MOUNTED THEREON

**PETITION UNDER 37 C.F.R. §1.53(e)(2) - THE APPLICATION WAS  
COMPLETE AS FILED ON SEPTEMBER 26, 2003**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Petition is submitted in response to the December 24, 2003 Notice to File Missing Parts (copy attached). For the reasons discussed in detail below, this Notice is in error because this application as filed on September 26, 2003 included page 18 of the specification (copy attached).

**Background**

This application, including 27 pages of the specification, claims, drawings and application data sheet was filed in the U.S. Patent and Trademark Office on September 26, 2003. Attached to this communication as Appendix A is a copy of the U.S. Patent and Trademark Office acknowledgment of receipt and Application Transmittal bearing the date and stamp of September 26, 2003. Furthermore, attached to this communication as Appendix B is a copy of the U.S. Patent and Trademark Office post card. Please note that both the

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acknowledgment of receipt and the post card indicate that 27 pages of the specification were included with the application as filed.

Page 18 was part of the 27 pages. If page 18 was missing, only 26 pages would have been filed. However, the U.S. Patent and Trademark Office twice acknowledged receipt of 27 pages.

In view of the foregoing, it is respectfully submitted that page 18 was originally filed in the U.S. Patent and Trademark Office on September 26, 2003, and that page 18 was subsequently misplaced.

**Relief Requested**

The U.S. Patent and Trademark Office is respectfully requested to: 1) withdraw the assertion that page 18 was omitted from the specification as filed; 2) acknowledge that page 18 was received on September 26, 2003; and 3) accord this application a filing date of September 26, 2003, including page 18.

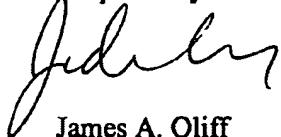
For the convenience of the Patent Office, a copy of page 18 is attached so that the complete application can be processed for substantive examination.

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Attached is our Check No. 151394 in the amount of \$130.00 for the Petition fee under 37 C.F.R. §1.17(h). Furthermore, the U.S. Patent and Trademark Office is authorized to debit deposit account number 15-0461 in the amount necessary to effect the filing of this Petition. However, it is respectfully submitted that the Petition fee should be refunded because of the Patent Office error.

The appropriate official of the U.S. Patent and Trademark Office is invited to contact the undersigned if there are any questions regarding this matter.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Jude L. Cooney  
Registration No. 54,045

JAO:JLC/cmf

Attachments: Appendix A (copy of U.S.P.T.O. date-stamped acknowledgment of receipt)  
Appendix B (copy of U.S.P.T.O. post card)  
Copy of Notice to File Missing Parts  
Copy of Page 18 of the Specification

Date: February 24, 2004

**OLIFF & BERRIDGE, PLC**  
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<b>DEPOSIT ACCOUNT USE AUTHORIZATION</b> Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
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